

**IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI**

**In re: ORA E MOTT**

**Case No.: 13-43648-drd-13**

**Debtor**

**MOTION TO DISMISS FAILURE TO COMPLY WITH 11 U.S.C. SECTION 521(e)**

Comes now Richard V. Fink, Chapter 13 Trustee, and moves to dismiss the above-captioned case and in support thereof states:

1. Debtor(s) filed their Chapter 13 petition on September 25, 2013.
2. The date first set for the first meeting of creditors was October 24, 2013.
3. Pursuant to 11 U.S.C. Section 521(e):

The debtor shall provide . . . not later than 7 days before the date first set for the first meeting of creditors, to the trustee a copy of the Federal income tax return required under applicable law (or at the election of the debtor, a transcript of such return) for the most recent tax year ending immediately before the commencement of the case and for which a Federal income tax return was filed.

4. The debtor(s) have failed to provide a copy of the most recent filed federal income tax return to the trustee's office.

Wherefore, the trustee moves the court for an order dismissing the above-captioned case without prejudice.

10/24/2013

/s/ Richard V. Fink, Trustee

Richard V. Fink, Trustee  
818 Grand Blvd., Suite 800  
Kansas City, MO 64106-1901

**NOTICE OF MOTION**

**Any response to the motion must be filed within twenty-one (21) days of the date of this notice (subject to an extension pursuant to Federal Rule of Bankruptcy Procedure 9006) with the Clerk of the United States Bankruptcy Court.** Documents can be filed electronically at <http://ecf.mowb.uscourts.gov>. A copy of such response shall be served electronically by the Court on the Chapter 13 Trustee and all other parties to the case who have registered for electronic filing. Parties not represented by an attorney may mail a response to the Court at the address below. If a response is timely filed, the Court will either rule the matter based on the pleadings, or set the matter for a hearing. If a hearing is to be held, notice of such hearing will be sent to all parties in interest. **If no response is filed within twenty-one (21) days (subject to an extension pursuant to Federal Rule of Bankruptcy Procedure 9006), this proceeding will be dismissed by separate Order of the Court.** For information about electronic filing, go to <http://www.mow.uscourts.gov>. If you have any questions about this document, contact your attorney.

Court Address: U.S. Bankruptcy Court, 400 E. 9th St., Room 1510, Kansas City, MO 64106

**NOTICE OF SERVICE**

The following parties will be served either electronically or by United States First Class Mail and a certificate of service will be filed thereafter:

DEBTOR(S)

WAGONER BANKRUPTCY GROUP (206) - ATTORNEY FOR DEBTOR(S)

/s/ Richard V. Fink, Trustee

SMM /Motion - Dismiss - Failure to Comply with Section 521(e)